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HOUSE BILL 1206

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Antonio "Moe" Maestas

AN ACT

RELATING TO CORRECTIONS; REQUIRING THE CORRECTIONS DEPARTMENT TO PROVIDE CERTAIN INFORMATION TO INMATES UPON RELEASE; PROVIDING FOR WAIVER OF FEES FOR NEW MEXICO DRIVER'S LICENSES AND PERSONAL IDENTIFICATION CARDS FOR PERSONS RECENTLY RELEASED FROM CORRECTIONAL FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 33, Article 2 NMSA 1978 is enacted to read:

"[NEW MATERIAL] RELEASE OF INMATES FROM CORRECTIONAL FACILITIES--INFORMATION TO BE PROVIDED.--The corrections department shall provide to an inmate, upon the inmate's release from a correctional facility under the jurisdiction of the corrections department, detailed instructions regarding how to obtain a federal social security card, personal

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1 identification card and New Mexico driver's license, including
2 reinstatement of a driver's license, and the fees that may
3 apply."

4 Section 2. Section 66-5-33.1 NMSA 1978 (being Laws 1985,
5 Chapter 47, Section 1, as amended) is amended to read:

6 "66-5-33.1. REINSTATEMENT OF DRIVER'S LICENSE OR
7 REGISTRATION--FEE.--

8 A. Whenever a driver's license or registration is
9 suspended or revoked and an application has been made for its
10 reinstatement, compliance with all appropriate provisions of
11 the Motor Vehicle Code and the payment of a fee of twenty-five
12 dollars (\$25.00) is a prerequisite to the reinstatement of any
13 license or registration.

14 B. If a driver's license was suspended or revoked
15 for driving while under the influence of intoxicating liquor or
16 drugs, for aggravated driving while under the influence of
17 intoxicating liquor or drugs or for a violation of the Implied
18 Consent Act, an additional fee of seventy-five dollars (\$75.00)
19 is required to be paid to reinstate the driver's license. Fees
20 collected pursuant to this subsection are appropriated to the
21 local governments road fund. The department shall maintain an
22 accounting of the fees collected pursuant to this subsection
23 and shall report that amount upon request to the legislature.

24 C. Upon proof satisfactory to the department, the
25 department shall waive the fees for reinstatement of a driver's

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1 license pursuant to this section for an applicant who applies
2 for reinstatement of a driver's license within thirty days of
3 release from a correctional facility under the jurisdiction of
4 the corrections department."

5 Section 3. Section 66-5-44 NMSA 1978 (being Laws 1978,
6 Chapter 35, Section 266, as amended) is amended to read:

7 "66-5-44. LICENSES AND PERMITS--DURATION AND FEE--
8 APPROPRIATION.--

9 A. There shall be paid to the department a fee of
10 ten dollars (\$10.00) for each driver's license or duplicate
11 driver's license, except that for a driver's license issued for
12 an eight-year period, a fee of twenty dollars (\$20.00) shall be
13 paid to the department. Each license shall be for a term
14 provided for in Section 66-5-21 NMSA 1978.

15 B. For each permit and instruction permit, there
16 shall be paid to the department a fee of two dollars (\$2.00).
17 The term for each permit shall be as provided in Sections
18 66-5-8 and 66-5-9 NMSA 1978.

19 C. The director with the approval of the governor
20 may increase the amount of the fees provided for in this
21 section by an amount not to exceed three dollars (\$3.00) for
22 the purpose of implementing an enhanced driver's license
23 system; provided that for a driver's license issued for an
24 eight-year period, the amount of the fees shall be twice the
25 amount charged for other driver's licenses. The additional

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1 amounts collected pursuant to this subsection are appropriated
2 to the department to defray the expense of the new system of
3 licensing.

4 D. There shall be paid to the department a driver
5 safety fee of three dollars (\$3.00) for each driver's license
6 or duplicate driver's license, except that for a driver's
7 license issued for an eight-year period, a fee of six dollars
8 (\$6.00) shall be paid to the department. The fee shall be
9 distributed to each school district for the purpose of
10 providing defensive driving instruction through the state
11 equalization guarantee distribution made annually pursuant to
12 the general appropriation act.

13 E. Upon proof satisfactory to the department, the
14 department shall waive the fees for a driver's license pursuant
15 to this section for an applicant who applies for a driver's
16 license within thirty days of release from a correctional
17 facility under the jurisdiction of the corrections department."

18 Section 4. Section 66-5-408 NMSA 1978 (being Laws 1978,
19 Chapter 35, Section 335, as amended) is amended to read:

20 "66-5-408. FEES.--

21 A. Upon application for an identification card with
22 a four-year term, there shall be paid to the department a fee
23 of five dollars (\$5.00). Upon application for an
24 identification card with an eight-year term, there shall be
25 paid to the department a fee of ten dollars (\$10.00).

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